

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3538

IN THE MATTER OF:

Served August 13, 1990

Application of TRANSPORTATION) Case No. AP-90-31
MANAGEMENT SERVICES, INC., for)
Temporary Authority to Conduct)
Charter Operations for the Account)
of Mantua Citizens' Association, Inc.)

By application filed August 3, 1990, Transportation Management Services, Inc. (TMSI or applicant), seeks temporary authority to transport passengers pursuant to contract with Mantua Citizens' Association, Inc. (MCA), in charter operations from the Mantua, Pine Ridge, Winterset, and Camelot subdivisions, Fairfax County, VA, to points in Washington, DC, and return.

By its terms the contract which was executed August 1, 1990, is effective from September 1, 1990, through August 31, 1991. The contract may be renewed annually, cancelled for cause, or amended under certain conditions. Under the contract's terms MCA determines routes, schedules, and "fares." */ The contract requires a minimum of two vehicles, each seating a minimum of 20 passengers, plus adequate back-up vehicles. Pursuant to the terms of the contract, TMSI proposes service Monday through Friday, except federal holidays. Two trips are scheduled each morning and evening as follows:

Morning (Inbound) Buses:

<u>Bus #1</u>		<u>Bus #2</u>	
Rt. 50/Chichester	7:05	Rt. 50/Chichester	7:25
Southwick/Prosperity	7:18	Southwick/Prosperity	7:40
King Arthur/Rt. 236	7:28	Holly/Gallows	7:50
14th/Pennsylvania	8:00	State Department	8:15
Dupont Circle	8:15	L St./14th St. NW	8:25
		HUD & DOT	8:35

*/ Fares would be established and collected by MCA, and TMSI would have no responsibility therefor. The service would be subsidized by Fairfax County, VA. MCA would pay applicant for service pursuant to the contract terms.

Afternoon (Outbound) Buses:

<u>Bus #1</u>		<u>Bus #2</u>	
14th/K St. NW	5:05	N. Capitol/E St.	5:20
Interior Department	5:15	Interior Department	5:45
Pentagon	5:25	Pentagon	5:55
King Arthur/Camelot	5:50	Rt. 50/Chichester	6:20
Southwick/ Lido Pl.	6:05	Southwick/Prosperity	6:30
Chichester/Rt. 50	6:15	King Arthur/Rt. 236	6:40

MCA would pay applicant \$137.50 per trip. TMSI proposes to provide service using three vehicles. These vehicles are leased, two having a manufacturer's designed seating capacity of 21 passengers and one having a manufacturer's designed seating capacity of 25 passengers. In compliance with Order No. 3534, served July 31, 1990, TMSI identified these vehicles as ones it would dedicate to other service. See Case Nos. AP-90-17 and AP-90-18, Application of Transportation Management Services, Inc., for Temporary Authority and Application of Transportation Management Services, Inc., for a Certificate of Public Convenience and Necessity Authorizing Charter Service for the Account of Scheduled Airline Traffic Offices, Inc., respectively.

With its application TMSI submitted a statement of financial condition as of April 30, 1990. The statement shows current assets of \$473,762; fixed assets after allowance for depreciation of \$50,951; and other assets (deposits) of \$77,160. The statement shows current liabilities of \$424,925, \$204,148 of which is payable to TMSI's parent company, and \$176,948 capital stock. TMSI's operating statement for the 12 months ended April 30, 1990, shows income of \$3,806,918, none of which is attributable to WMATC operations; operating expenses of \$3,593,269; and other expenses of \$86,507, including \$84,045 in management fees. Applicant's method for determining the value of depreciated assets and depreciation expense is not apparent on the face of these statements. Moreover, these statements appear to be at variance with similar statements submitted in Case No. AP-90-18, Supra. Applicant will be directed to clarify these matters. For the first 12 months of operations TMSI projects \$137,561.31 in expenses. Projected revenue would appear to be on the order of \$138,600 (four trips a day for 252 days); applicant will be directed to inform the Commission of its specific projection.

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) an immediate and urgent need for service, (2) no other carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of TMSI's application, and a brief period will be established for the filing of protests, if any. Each protest must be accompanied by all evidence and argument upon which protestant would rely. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

THEREFORE, IT IS ORDERED:

1. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Rule No. 14, together with all evidence and argument on which protestant would rely, at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Thursday, August 23, 1990, and simultaneously shall serve a copy of such protest and evidence and/or argument on applicant's counsel, David E. Fox, Esquire, 1325 - 18th Street, N.W., Suite 103, Washington, DC 20036.

2. That Transportation Management Services, Inc., submit a statement explaining the manner in which it proposes to use the indicated equipment to provide the service at issue in this application and the service for the account of Scheduled Airline Traffic Offices, Inc., for which it has previously been granted authority by this Commission.

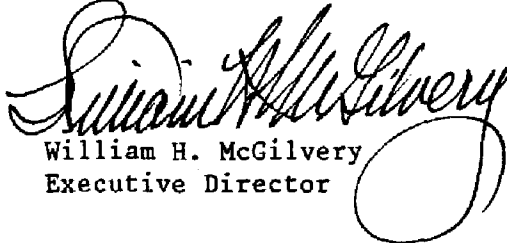
3. That Transportation Management Services, Inc., inform the Commission, in writing, of the revenue projected for the first 12 months of operations from the proposed service.

4. That Transportation Management Services, Inc., provide a reconciliation between the statement of financial condition and historical operating statement filed in this case and the same items filed in Case No. AP-90-18.

5. That Transportation Management Services, Inc., provide a brief explanation of its methods for depreciation calculations.

6. That an original and four copies of the items in ordering paragraph Nos. 2, 3, 4, and 5 be filed at the office of the Commission no later than Tuesday, August 21, 1990.

FOR THE COMMISSION:


William H. McGilvery
Executive Director